IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1702 OF 2006.

Shaikh Shabbir Mushtque Ahmed ..Petitioner

versus

State of Maharashtra ..Respondent.

Mr.Rahul Dhumal for the Petitioner

Mr.Mhaispurkar for the Respondent

Coram : S.B.Mhase &
S.R.Sathe, JJ.
Dated : 14th November, 2006

P.C.

1. Heard Mr. Dhumal. The accused-petitioner is an accused in MCOC Case and this case requires to be dealt with, even for remand etc by the Special Judge appointed under the said act. The grievance of the petitioner is that on a particular dates he was not produced before the Special Judge under MCOC Act and thereby his custody is wrongful custody and therefore he should set at liberty. The respondent-State has filed an application stating that subsequently the petitioner has been produced before the Special Judge from time to time and the Special Judge has granted custody remand. This Court has dealt with this point in a case Dilip Pandurang Kamat & Others vs. State of Maharashtra

reported in 2005 All MR (Cri) 3017 and the point is no more res-integra. Therefore, the petition is without any substance. It is hereby summarily rejected.

(S.R.Sathe, J.) **(S.B.Mhase, J.)**